



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/905,627 | 07/13/2001 | James J. Graham | TECB.01USUI | 3700 |

20350 7590 02/17/2004

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

ZHOU, TING

ART UNIT PAPER NUMBER

2173

DATE MAILED: 02/17/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten mark

Office Action Summary

Application No.

09/905,627

Applicant(s)

GRAHAM ET AL.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

BA HUYNH
PRIMARY EXAMINER

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference characters "800", "808", "816" and "818" in Figure 8.
2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sabaliauskas U.S. Patent 5,359,510, in view of Richard et al. U.S. Patent 6,289,348.

Referring to claims 1 and 4, Sabaliauskas teaches a method and system of creating a schedule for a sports competition using a computer (column 2, lines 6-20, column 9, lines 66-68 and Figure 3). Specifically, Sabaliauskas teaches having a database of teams (column 10, lines 47-51), selecting scheduling parameters for competition (creating a schedule via setting up scheduling parameters through the network shown in Figure 3) (column 2, lines 17-20 and column 10, lines 35-41), calculating individual games between each team automatically (scheduling matches between teams, based on a set of rules placing teams in brackets) (column 2, lines 17-20, column 11, lines 44-60 and Figures 9 and 10) and displaying the schedule (column 3, lines 22-25). This is further recited in column 8, lines 55-68 and continuing onto column 9, lines 1-11 and shown in Figure 6. However, Sabaliauskas does not teach doing this through a web interface. Richard et al. teach a system for managing events and creating schedules for an organization of people, similar to the system for managing a sports facility of Sabaliauskas. In addition, Richard et al. teach the creation and display of the schedule through a web server (via accessing the schedule through a web page), as recited in column 2, lines 35-67, column 8, lines 64-67 and column 9, lines 1-4. It would have been obvious to one of ordinary skill in the art, having the teachings of Sabaliauskas and Richard et al. before him at the time the invention was made, to modify the system for managing a sports facility taught by Sabaliauskas to include the web server of Richard et al. It would have been advantageous for one to utilize such a combination in order to provide convenience for users; for example, instead of physically going to the facility and viewing the schedule, users can save time by checking the schedule online, without ever having to leave their homes.

Referring to claim 2, Sabaliauskas teaches the scheduling parameters comprising the dates and times of competition, as recited in column 1, lines 44-49 and column 10, lines 36-41.

Referring to claim 3, Sabaliauskas teaches automatic calculation comprising matching each team to another, as recited in column 11, lines 44-49 and shown by the team match-up brackets in Figure 10.

Referring to claim 5, Sabaliauskas teaches a computer system for managing a sports facility comprising a web server (network tournament management system), a database comprising the schedule for the facility (for example, the available number of dart boards), a web-based interface for accessing and reserving time in the database, as recited in column 9, lines 6-8, column 11, lines 44-60 and further shown in Figure 55.

Referring to claim 6, Sabaliauskas teaches a database of participants (teams and players) (column 10, lines 47-51) and adapted to automatically match the participants into individual competitions (place teams on the chart or bracket), as recited in column 11, lines 44-50.

Referring to claim 7, Sabaliauskas teaches the system adapted to creating tournament competitions, as recited in column 2, lines 17-20 and column 9, lines 66-68.

Referring to claim 8, while Sabaliauskas teaches all of the limitations as applied to claim 5 above, he fails to explicitly recite a website through which participants can access the schedule. Richard et al. teach a system for managing events and creating schedules for an organization of people, similar to the system for managing a sports facility of Sabaliauskas. In addition, Richard et al. further teach a website through which the participants can access the schedule, as recited in column 8, lines 64-67 and column 9, lines 1-4. It would have been obvious to one of ordinary skill in the art, having the teachings of Sabaliauskas and Richard et al. before him at the time the

invention was made, to modify the system for managing a sports facility of Sabaliauskas to include the website allowing users to access the schedule, as taught by Richard et al. It would have been advantageous for one to utilize such a combination in order to provide convenience for users; instead of physically going to the facility and viewing the schedule, users can save time by checking the schedule online, without ever having to leave their homes.

Referring to claim 9, Sabaliauskas teaches the ability to keep statistics on the participants in the database of participants (a specialized ID is kept in the database linking each player with the tournament they are participating in), as recited in column 11, lines 20-27. Statistics such as whether the player belongs to the Win or Lose bracket is also displayed and updated in the database. This can further be seen in Figure 55.

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods of conducting and displaying an interactive league or tournament.

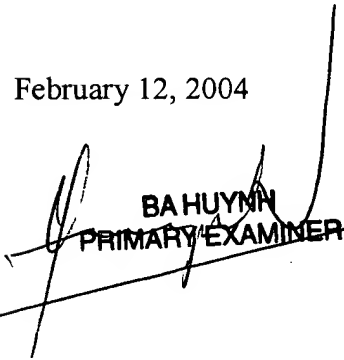
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 12, 2004


BA HUYNH
PRIMARY EXAMINER